In the High Court of Punjab and Haryana, Chandigarh.

Civil Revision No.5271 of 2007

Date of Decision: 12.10.2007

Mahender Singh

…Petitioner

Versus

Gurmail Singh

…Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. Rajesh Lamba, Advocate
for the petitioner

RAJESH BINDAL, J.

In the present petition, the challenge is to the order dated September 13, 2007 passed by the learned Motor Accident Claims Tribunal, Fatehabad (for short "the Tribunal), permitting the petitioner/respondent to file written statement subject to payment of Rs. 4,500/- as costs.

The costs were imposed by the Tribunal for the reason that inspite of many opportunities having been granted, the petitioner/respondent had failed to file written statement. On May 30, 2007, he was debarred from filing the written statement. Thereafter, three witnesses of the claimant had been recorded and two witnesses were present in Court when the present application was filed. Keeping in view the fact that much proceedings had undergone in the absence of written statement by the petitioner/respondent, the Tribunal took a lenient view of the matter while accepting the prayer made by the petitioner/respondent for filing of the written statement subject to payment of Rs. 4,500/- as costs.

Under these circumstances, I do not find any error of jurisdiction in the order passed by the Tribunal imposing costs on the petitioner/respondent for delaying disposal of claim petition.

Accordingly, the present revision petition is dismissed in limine.

(Rajesh Bindal)
Judge

October 12, 2007
"DK"